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6 IN THE DISTRICT COURT OF GUAM
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8 UNITED STATES OF AMERICA,) CRIMINAL CASE NO. 07-00075
9)
10 Plaintiff,)
11)
12 vs.)
13 NATHANIEL D. PUNZALAN,)
14 Defendant.)
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ORDER

14 This matter is before the court on the Defendant's Motion to Compel Disclosure of
15 Information re Confidential Informant. See Docket No. 61. The court notes that the Government
16 has not filed a response to said motion but did file an opposition to a similar motion filed by prior
17 defense counsel.¹ In the interest of fairness and because the court would prefer to rule on the
18 merits of motions as opposed to granting motions outright based on technicalities or procedural
19 defects, the court will permit the Government to file a brief response to the more recent motion
20 and specifically address the Defendant's request for the production of internal informant files.
21 Said brief shall be filed by Friday, July 11, 2008.

22 Additionally, the court directs the Government to submit for the court's review any and
23 all audio and video recordings it has in its possession that involve conversations, meetings, or
24 transactions between the Defendant and the Confidential Informant and eventually led to the

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26 ¹ The Government's opposition (Docket No. 45) was filed in response to the Motion to
27 Reveal Identity of Informant (Docket No. 44), which had been filed by prior counsel Rawlen
28 Mantanona. Because the more recent motion filed by attorney Stephanie Flores (Docket No. 61)
expands on the request originally made by Mr. Mantanona, the court will construe the more
current motion as a supplement to the original motion.

1 prosecution of the instant case. Said evidence shall be submitted to the Clerk's Office, but not
2 filed, no later than July 11, 2008. After reviewing this evidence, if the court believes further
3 argument from the parties will aid it in reaching a decision, the court shall thereafter schedule a
4 hearing on the matter.

5 IT IS SO ORDERED.



/s/ Joaquin V.E. Manibusan, Jr.
U.S. Magistrate Judge
Dated: Jul 03, 2008